



# CITY OF HOUSTON

Administration and Regulatory Affairs Department  
Strategic Purchasing Division

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May 13, 2013

**SUBJECT:** Letter of Clarification No. 3 Janitorial Cleaning and Associated Services for Houston Police Department

**REFERENCE:** Best Value Bid (BVB) No. S46-L24596

**TO:** All Prospective Bidders:

This Letter of Clarification is issued for the following reasons:

• **The following questions and City of Houston responses are hereby incorporated and made a part of the Request for Proposal:**

1. Missing EXHIBIT#1 CONTRACTOR'S QUESTIONNAIRE and EXHIBIT #II.MINORITY/WOMEN BUSINESS ENTERPRISES CONTRACT REQUIREMENT on your bid package #24595 and L24596  
Do we need this page or not ?

**Answer:** All required forms including but not limited to the "Exhibit 1 – Contractor Questionnaire and Exhibit II – Minority/Women Business Enterprise Contract Requirements can be found on the City of Houston e-bid site. Please refer to Exhibit W – Forms.

2. Is it possible can you inform us the current Sub Contractors working with the current Prime- Contractor for the two open City of Houston bids..I understand we can pull the list of Contractors under MWBE but it is listing primes with that list.

**Answer:** A copy of the current contracts which contains a list of the current MWBE partners are posted to the e-bid site. Please refer to Exhibit D1.

<b>Solicitation</b>	<b>Current Contract</b>
L24595 – Janitorial Cleaning and Associated Service for Various Departments	OA 4600011595
L24596 – Janitorial Cleaning and Associated Service for Houston Police Department	OA 4600011594

3. My name is Danny Hong with MBM, LLC. I am currently working on the janitorial bid for the City of Houston Police Dept. In the RFP, the square footage of Stingfellow South Police Station is listed as "TBD." The square footage that is listed is followed:
  - Police Area-162,000 sq. ft.
  - Detention Area-48,780 sq. ft.
  - Municipal Courts-13,000 sq. ft.

When these areas are added up it is 223,780 sq. ft. Should we use this figure to calculate or use a different figure? Please advise. Thank you for your time.

**Answer:** The square footage for the Stingfellow South Police Station is 223,780 sq. ft.

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4. The following locations are listed in the Exhibit B1 Schedule but are not listed in Exhibit B1 Porters services

- Aldine Police 2 hour day porter 2 days per week
- Broadway Police 2 hour Day Porter 2 days a week
- Gerson Building 6 hour day porter 5 days per week
- South Gesner Police Police 6 hour Day Porter 5 days a week & 2 hour Day Porter 2 days a week

**Answer:** *These sites will not require Porter service. Please refer to Exhibit B1 - "Porter" Tab.*

5. The following locations are listed in the Exhibit B1 Porter services but are not listed in Exhibit B1 Schedule

- Morrison Police Academy no porter hours information
- Police Mounted Patrol no porter hours information
- Stringfellow South Police no porter hours information

**Answer:** *The service requirements for these locations are indicated correctly on Exhibit B-1.*

6. I was reviewing potential bids this morning and noticed both L24595 and L24596. These would appear to be re-bids of L24480 (Janitorial Cleaning and Associated Services for Various Departments) and L24484 (Janitorial Cleaning and Associated Services for Houston Police Department). How might we find out the reason for the decision to re-bid these two opportunities?

**Answer:** *This information is indicated on the top of page 2 of each solicitation.*

7. Are the pre-bid conference for the janitorial services solicitations for HPD (L24596) and Various Depts. (L24595) mandatory to attend, since we already attended the previous one a few months ago?

**Answer:** *No.*

8. We received notification yesterday regarding this morning's meeting and unfortunately we are unable to attend today. Please note EULEN AMERICA will submit a bid for the Janitorial Cleaning and Associated Services for Various Departments.

**Answer:** *Duly noted. The pre-bid was not mandatory.*

9. Will the pre bid meeting that is scheduled for tomorrow at 9 am be mandatory? And could you tell me why the last janitorial bid was rejected?

**Answer:** *The pre-bid was not mandatory. Please refer to the top of page 2 of each solicitation.*

10. It appears the COH intent is that all employees or workers on this contract should be paid the "minimum wage" and subject to "pay or play" provisions. However, Section 5, Minimum Wage and Employee Benefits, only refer to "Contractor Employees". There appears to be a loop pool and therefore we ask the following questions:

- 10a. Does the minimum wage apply to workers on this contract that are hired as an independent contractor (1099)?
- 10b. Are there any flow down provisions of this contract that apply to subcontractors i.e., minimum wage, pay or play, labor relations plan?
- 10c. What type of verification, if any, is required as evidence or compliance with the minimum wage?
- 10d. Are weekly certified payroll reports required?
- 10e. Will this contract be monitored by the contract compliance division of COH OBO?

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**Answer:** *The City of Houston does intend that all workers providing janitorial services under this contract be paid the Minimum Hourly Rates set forth in Section 3.0 / 5.0 of the Scope of Work. The revised Solicitation clarifies this by referring to them as "Personnel", a new term defined to include the winning contractor's employees, its subcontractor's workers, and any independent contractors. To further clarify that it applies to every worker, the term "Subcontractor" is defined to include all sub-subcontractors. The revised Solicitation also incorporates the City's practice in other contracts for the winning contractor to submit regular certified payroll for its Personnel to the City's Office of Business Opportunity. This new provision can be found in Section 3.6 / 5.6 of the Scope of Work, entitled "Compliance Verification." These provisions in the Scope of Work will become part of the final contract as Exhibit B.*

*With regard to the Pay or Play provisions, they also apply to most subcontractors. Section 4.2 of the Mayor's Executive Order No. 1-7 states, "This Program applies to subcontracts for services in which the total value of the subcontract, including contingencies, amendment, supplemental terms and/or change orders equals or exceeds \$200,000." The exceptions contained in this section do not apply to the proposed janitorial services contract. Furthermore, Section 4.2 provides, "Covered employees – This program applies to employees of a covered contractor or subcontractor, including contract labor, who are over age 18, work at least 30 hours per week and work any amount of time under a covered City contract or subcontract."*

*Finally, with regard to the labor relations plan requirement, the winning contractor and its subcontractors must provide a plan(s) under the revised Section 4.0 / 6.0 of the Scope of Work if a contract is awarded. For its bid to be considered complete, however, only the Offeror must submit a labor relations plan. A form has been developed to aid the Offeror. If the Offeror has a complex business arrangement with subcontractors and/or contract labor, it may provide additional pages explaining how it will maintain labor peace.*

11. The prior solicitation was cancelled as the bids received exceeded the COH estimated cost and budget. What is the COH estimated budget cost for this contract?

**Answer:** *The city will not provide a budget for these contracts. Please review the requirements and provide your pricing based on the requirements per location.*

12. Pre-Bid Conference if we attended the previous pre-bid conference did we need to go again today?

**Answer:** *No.*

13. Additionally; do we resubmit information that was missing only or the whole package.

**Answer:** *Please refer to Exhibit X – Sample Bid Response for a sample of all required information and documents.*

When issued, Letter(s) of Clarification shall automatically become a part of the proposal documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. All revisions, responses, and answers incorporated into the Letter(s) of Clarification are collaboratively from both the Strategic Purchasing Division and the applicable City Department(s). It is the responsibility of the proposers to ensure that it has obtained all such letter(s). By submitting a proposal on this project, proposers shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into this proposal.

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If you have any questions or if further clarification is needed regarding this BVB, please contact me

*Eric Alexander*

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**END OF LETTER OF CLARIFICATION 3**

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**Council Members:** Helena Brown Jerry Davis Ellen Cohen Wanda Adams Dave Martin Al Hoang Oliver Pennington Edward Gonzalez  
James G. Rodriguez Mike Laster Larry Green Stephen C. Costello Andrew Burks Melissa Noriega C.O. "Brad" Bradford  
Jack Christie Controller Ronald C. Green